

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO
100 N. Church St.
Las Cruces, New Mexico 88001**

Kenneth J. Gonzales
U.S. District Judge

(575)528-1640
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March 25, 2016

VIA CM/ECF

**Re: UNITED STATES V. DELEON, 15CR4268KG,
15CR4269KG, 15CR4275KG**

Dear Counsel of Record:

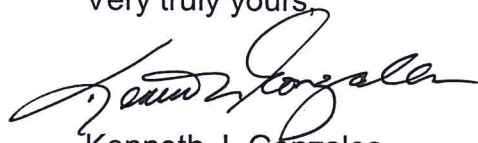
As you may be aware, former defense counsel for Billy Garcia raised an important issue at the March 22, 2016, hearing as to whether I may have a conflict of interest (actual or potential) in any of the above-mentioned matters. As a result, I instructed Assistant United States Attorney Maria Armijo to determine whether any matter relating to the charged defendants may have been pending in the United States Attorney's Office while I served as the United States Attorney. The dates of my service are May 3, 2010, to August 8, 2013. And I instructed Ms. Armijo to confer with defense counsel, James Castle as necessary to ensure the scope of her inquiry is sufficient.

It was reported to me and defense counsel at the March 22, 2016, hearing that the investigation that resulted in the instant three indictments began in spring 2015, approximately 2.5 years after I was sworn in as district judge. It also was suggested at the hearing that the investigation may have extended back to 2014, and that the FBI may have made inquiries into the SNM in 2005 or 2006. Moreover, Mr. Castle mentioned a United States Attorney press release from October/November 2010 that references the SNM.

Based on all that was discussed on March 22, I recall participating in a meeting with the FBI and USAO leadership while an Assistant United States Attorney (approximately 2009/2010), and before I became the United States Attorney. Meetings such as this are common between prosecutors and law enforcement agencies to determine whether any investigative steps are warranted. The topic of this meeting was prison gangs in New Mexico, including SNM. I do not recall any names of targeted gang members that were mentioned, however. Nor do I recall whether the result of the meeting was to open an active investigation either before or after I became the United States Attorney.

Nevertheless, I am providing this information to aid Ms. Armijo as she conducts her inquiry and to defense counsel as they ultimately determine the most appropriate steps to take on behalf of their respective clients.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kenneth J. Gonzales", written in a cursive style.

Kenneth J. Gonzales
United States District Judge

KJG